

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

HERBERT B. KINCEN,

Defendants.

4:18CR3075

ORDER

IT IS ORDERED:

- 1) The motion of Justin B. Kalemkarian to withdraw as counsel of record for Defendant, (Filing No. 69), is granted.
- 2) Pursuant to the entry of appearance, (Filing No. 67), Carlos Monzon is Defendant's newly retained counsel, Carlos A. Monzon, and he shall promptly notify Defendant of the entry of this order.
- 3) The clerk shall delete Justin B. Kalemkarian from any future ECF notifications herein.
- 4) Defendant's new counsel needs additional time to review discovery and confer with Defendant. Accordingly, Defendant's unopposed motion to continue the change of plea hearing, (Filing No. 68), is granted as follows:
 - a. Defendant's plea hearing will be held before the undersigned magistrate judge on February 12, 2019 at 3:00 p.m.. Defendant is ordered to appear at this hearing.
 - b) The Court finds that the ends of justice served by continuing Defendant's plea hearing outweigh the best interest of Defendant and the public in a speedy trial. Accordingly, the time between today's date and the district court judge's acceptance or rejection of the anticipated plea of guilty shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7). Failing to timely object to this order as provided

under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

January 7, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge